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June 29, 2020

Via ECF

The Honorable Sarah Netburn
Thurgood Marshall United States Courthouse
40 Foley Square, Room 430
New York, NY 10007

Re: *In re Terrorist Attacks on September 11, 2001*, 03-md-1570 (GBD) (SN)

Dear Judge Netburn:

I write on behalf of Defendant Kingdom of Saudi Arabia (“Saudi Arabia”) concerning a sealed filing made by Saudi Arabia today in response to Plaintiffs’ motion for reconsideration and Rule 72(a) objections, ECF No. 6265 (filed under seal), to this Court’s order dated May 27, 2020, ECF No. 6244 (filed under seal).

Today’s filing contains information subject to the general MDL protective order, ECF No. 1900. The filing discusses documents that are inviolable under the Vienna Convention on Diplomatic Relations and the Vienna Convention on Consular Relations, which are properly sealed under this Court’s order of July 22, 2019, ECF No. 4696, at 8-10. The filing also discusses additional documents that were filed in support of or in opposition to Plaintiffs’ second motion to compel and that Saudi Arabia intends to request be maintained under seal after Judge Daniels resolves Plaintiffs’ pending objections to ECF No. 4696.

In addition, today’s filing also discusses material designated as confidential under the general MDL protective order by third parties. Those parties should be given notice and an opportunity to seek to maintain that material under seal.

Saudi Arabia does not believe that today’s filing contains information subject to the Privacy Act Order and Protective Order for FBI Documents, ECF No. 4255, but has submitted the filing for review by the FBI to ensure that the FBI concurs with that assessment.

Consistent with this Court’s guidance, ECF Nos. 5307, 6084, Saudi Arabia is making today’s filing under seal using the Court’s sealed ECF procedures. Consistent with the approach the parties and the Court have taken with respect to earlier sealed filings and orders, Saudi

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Arabia respectfully requests permission to submit a more detailed showing in support of its redaction requests after Judge Daniels resolves Plaintiffs' pending objections to ECF No. 4696.

Copies of Saudi Arabia's filing (clean and with highlighted proposed redactions) are being sent today by email to Your Honor's chambers and to counsel for Plaintiffs, the United States, and Dallah Avco. No courtesy copies of either this letter or today's sealed filing are being sent to the chambers of Judge Daniels, as instructed by the temporary revisions to his Individual Practices in light of the ongoing public health crisis.

Respectfully submitted,

/s/ Michael K. Kellogg

Michael K. Kellogg
Counsel for the Kingdom of Saudi Arabia

cc: All MDL Counsel of Record (via ECF)